

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7100 OF 1999

Shri Namdeo Narayan Kavilkar & Ors. ... Petitioners

V/s.

Smt.Dharmibai Narayan Kavilkar & Ors. ... Respondents

Mr.C.G. Gavnekar with Mr.Gavankar for Petitioners
None for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 4, 2005**

P.C.:

. The Petition challenges the order of 16.12.1998 passed by the competent authority who has allowed the application filed by Respondent No.1 under section 13A(2) of the Bombay Rent Act. It was held that the relationship which existed between the Petitioner and the Respondents was that of licensor and licensee. The Respondents had also been able to prove that an oral agreement in respect of the suit premises was entered into in 1990 whereby the Respondents agreed to let the room out on leave and licence. All these factors have been considered and the Court has held that the Petitioners are not entitled to any relief. They were directed to give vacant and peaceful possession of the

suit premises and to pay licence fee of Rs.400/- per month.

2. I see no reason to interfere with the impugned order. Petition rejected.